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CC: Kim Jennings/DC/USEPA/US@EPA
Subject: FYI - EPA to Test Water Near Hydraulic Fracturing In Pennsylvania, Respond to Contamination

From BNA:

Drilling
EPA to Test Water Near Hydraulic Fracturing
In Pennsylvania, Respond to Contamination

By Lorraine McCarthy

PHILADELPHIA—The Environmental Protection Agency will begin water sampling at 60 homes in Dimock, where groundwater contamination was linked to hydraulic fracturing used in natural gas drilling in 2009, EPA Administrator Lisa Jackson said Jan. 20.

The agency said it will provide temporary water supplies to four homes where the available data indicate well water contaminant levels pose a health concern.

Jackson said the agency is acting under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act.

“We are using the Superfund Act,” she said, speaking at a National Council for Science and the Environment conference in Washington, D.C.

Pennsylvania has primary authority over local drinking water issues, Jackson said, but EPA examined its authority to act after Dimock residents petitioned the agency and expressed concerns about the state government's response.

Use of CERCLA Authority

Oil and gas activities are exempt from the federal Safe Drinking Water Act, but CERCLA gives the federal government authority to respond to releases or threatened releases of hazardous substances that pose a threat to public health or the environment.

“We know through [hydraulic fracturing] there have been releases of chemicals,” Jackson said.

“The attention by EPA will be met by the industry,” she said. “Fracking fluids will get greener; [the amount of] chemicals will go down. The industry can do it, must do it ... and will feel the public pressure.”

Natural gas extraction “is key to our energy future, key to our economic growth, and it must be done safely,” Jackson said.

Cabot Oil Supplied Temporary Water

Houston-based Cabot Oil & Gas Corp. until recently had been supplying water to 19 Dimock families, under terms of a 2010 settlement of allegations by state environmental regulators. Families' drinking water wells were contaminated with methane migrating through defective cement and casings in some of Cabot's wells.

The Pennsylvania Department of Environmental Protection allowed Cabot to end its water deliveries Nov. 30, 2011, having determined that the company had satisfied the conditions of the settlement.

Dimock residents responded with a request for federal assistance, but EPA in early December told them its review of Cabot's and DEP's well-sampling data did not indicate their water posed a health threat.

Later that month, after receiving hundreds of pages of additional data from residents, EPA reversed course, saying it had concerns about possible gaps in water sampling and sample results and would be conducting a door-to-door survey in Dimock to gather more information (05 DEN A-8, 1/10/12).

Duplicative Efforts Alleged

Now EPA is taking its investigation a step further by conducting a new round of water sampling, which it estimates will take three weeks, with results available five weeks after the samples are collected.

DEP has expressed concern that EPA is disregarding the state's extensive data-collection and enforcement efforts and its technical expertise.

Cabot called the EPA initiative a waste of resources, given the collection and analysis of thousands of water samples by both Cabot and DEP since 2009.

A December 2011 report prepared for Cabot by the Pittsburgh engineering and consulting firm URS Corp. based on two years of soil and surface water studies around 13 Cabot drilling sites near Dimock revealed no environmental condition that required cleanup or remediation.

EPA's approach in Dimock “is indicative of a broader problem of inconsistency with scientific process and a lack of cooperation with state and private sector parties,” Cabot said in a Jan. 20 statement. “Cabot hopes

that we can work with EPA to further review existing data and to establish a firmer basis for agency decision making.”

Hazardous Substances Identified

EPA said its findings from data collected by Cabot and the state “strongly suggest that hazardous substances have been released and are present in some home wells at levels that may present a public health concern.”

The hazardous substances that were identified in Dimock-area wells are arsenic, barium, Bis(2ethylhexyl)phthalate (DEHP), manganese, glycol compounds, phenol, and sodium.

Four homes will receive alternate water supplies based on an EPA toxicologist's opinion that their wells contain manganese or arsenic at levels that present a public health concern.

Water will be supplied “until potential exposures are further understood and mitigated as needed,” EPA said. It said the information it has on other wells in the area does not support the need for alternative water at this time, but does support the need for further sampling.

By Lorraine McCarthy

For More Information

The December 2011 report on the results of soil and water studies at certain Cabot Oil & Gas Corp. well sites in Susquehanna County is available at

<http://www.cabotog.com/pdfs/FINAL%20Wellsite%20Evaluation%20Report%20-%202011-12-09.pdf>.

More information on EPA's investigation in Dimock is available at

http://www.epaosc.org/site/site_profile.aspx?site_id=7555.